

**SENATE JOURNAL
65TH LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 3, 2017

Senate Chambers
State Capitol

Senate convened at 1:00 p.m. President Sales presiding. Invocation by Senator Thomas. Pledge of Allegiance to the Flag.

Roll Call. Forty-nine members present. Quorum present.

BILLS AND JOURNALS (Keenan, Chair):

2/3/2017

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the sixteenth, seventeenth, eighteenth, nineteenth, and twentieth legislative days, find the same to be correct.

Correctly printed: **SB 97, SB 118, SB 119, SB 121, SB 123, SB 140, SB 142, SB 188, SB 189, SB 190, SB 191, SB 192, SB 193, SJ 8, SJ 9, SJ 10, SR 15, HB 67, HB 68, HB 105, HB 150, HB 221.**

Correctly engrossed: **SB 86, SB 144, HB 55.**

Correctly enrolled: **SB 56, SB 84.**

Transmitted to the House: **SB 45, SB 63.**

Signed by the Speaker at 8:15 a.m., February 3, 2017: **SB 5.**

Delivered to the Governor for approval at 9:26 a.m., February 3, 2017: **SB 5.**

REPORTS OF STANDING COMMITTEES

BUSINESS, LABOR, AND ECONOMIC AFFAIRS (Buttrey, Chair):

2/3/2017

SB 165, do pass.

HB 80, be concurred in.

HB 166, be concurred in.

ENERGY AND TELECOMMUNICATIONS (Ankney, Chair):

2/2/2017

SB 86, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "DATE"

Insert: " AND AN APPLICABILITY DATE"

2. Page 5.

Following: line 4

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Insert: "NEW SECTION. **Section 3. Applicability.** [This act] applies to projects approved by the board of oil and gas conservation on or after [the effective date of this act]."

And, as amended, do pass.

SR 14, be adopted.

HIGHWAYS AND TRANSPORTATION (Vance, Chair):
HB 41, be amended as follows:

2/2/2017

1. Page 1, line 26 through line 27.

Strike: "80 feet in length" on line 26 through "rear overhang" on line 27

Insert: "the length limitation established in 49 U.S.C. 31111"

And, as amended, be concurred in.

HB 55, be amended as follows:

1. Title, page 1, line 5 through line 7.

Strike: "ALLOWING THE DEPARTMENT" on line 5 through "STATE AGENCY;" on line 7

2. Title, page 1, line 8.

Strike: "SECTIONS 60-4-202 AND"

Insert: "SECTION"

3. Page 1, line 12 through page 2, line 7.

Strike: section 1 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in.

JUDICIARY (Regier, Chair):

2/2/2017

SB 144, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "if"

Insert: "any of the following is true"

2. Page 1, line 16.

Strike: "or"

And, as amended, do pass.

SR 19, be adopted.

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JUDICIARY (Regier, Chair):

2/3/2017

SR 18, be adopted.

SR 22, be adopted.

HB 59, be amended as follows:

1. Title, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 5.

Following: line 14

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in.

HB 65, be concurred in.

HB 87, be concurred in.

HB 89, be concurred in.

HB 111, be concurred in.

HB 135, be amended as follows:

1. Title, line 9.

Strike: "AND"

2. Title, line 10.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 4.

Following: line 28

Insert: "NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in.

Without objection, committee reports were adopted.

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MESSAGES FROM THE GOVERNOR

February 2, 2017

The Honorable Austin Knudsen
Speaker of the House
State Capitol
Helena MT 59620

Dear Speaker Knudsen:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 1 (HB 1), "AN ACT APPROPRIATING MONEY FOR THE OPERATION OF THE CURRENT AND SUBSEQUENT LEGISLATURE; AMENDING SECTION 1, CHAPTER 1, LAWS OF 2015; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

Montana's economy is growing and has never been as diverse as it is today. It is growing because we are investing in our students. And it is growing because we are supporting our businesses and our workers. That is not to say there are no challenges. Global commodity prices are down--a force that affects states across the West.

In light of these economic challenges, over the interim I directed my agencies to curb spending and my administration saved just over \$100 million from state spending. The budget I proposed to the 65th Legislature is built on a responsible mix of spending cuts and revenue enhancers. It held government spending over the biennium to an inflationary increase of 1.46 percent.

To date, the legislature has rejected the balanced budget I submitted and has proposed additional cuts to critical services across Montana. Cuts that are felt most deeply by our seniors, school kids and public safety officers.

At the same time the legislature is proposing these irresponsible cuts, the very first bill it delivered to my desk would increase spending for the legislative branch by 14 percent. The bill would use tax payer dollars for things like staff salary increases and legislative travel.

Legislative leadership often expresses concerns about the growth of government and repeats the refrain that government must live within its means. To that end, the executive branch has fewer employees today than we did when I first took office. The executive branch is doing more with less.

When Montana families are faced with challenging financial times they do not have the luxury of increasing their spending by 14 percent. As a Governor faced with tough financial decisions I tightened the state's belt and proposed a budget that does not grow beyond inflation. The legislature needs to make fiscally responsible decisions and play by the same rules they expect for the rest of government. I am therefore proposing amendments that would hold legislative growth to the rate of inflation.

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I respectfully ask for your support of these amendments.

Sincerely,

STEVE BULLOCK
Governor

Amendments to House Bill No. 1
2nd Reading - - 2nd House Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Susan Byorth Fox
February 2, 2017 (10:33 am)

1. Title, line 6.

Strike: "AMENDING SECTION 1, CHAPTER 1, LAWS OF 2015;"

2. Page 1, line 15.

Strike: "\$3,799,565"

Insert: "\$3,481,717"

3. Page 1, line 16.

Strike: "\$6,121,251"

Insert: "\$5,596,209"

4. Page 1, line 17.

Strike: "\$1,127,776"

Insert: "\$653,346"

5. Page 1, line 25 through page 2, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

- END -

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate:

2/2/2017

SB 56, introduced by M. MacDonald

SB 84, introduced by S. Hinebauch

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House bills passed and transmitted to the Senate for concurrence:

2/2/2017

HB 71, introduced by W. McKamey

HB 231, introduced by P. Webb

HB 232, introduced by K. Holmlund

HB 261, introduced by F. Garner

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 194, introduced by M. Lang, R. Osmundson, R. Tempel, G. Vance, referred to Highways and Transportation.

SB 195, introduced by P. Connell, M. Blasdel, E. Buttrey, T. Facey, S. Fitzpatrick, B. Keenan, T. Richmond, F. Thomas, J. Welborn, referred to Business, Labor, and Economic Affairs.

SB 196, introduced by S. Fitzpatrick, S. Lavin, referred to Highways and Transportation.

SB 197, introduced by T. Gauthier, D. Ankney, B. Beard, J. Gross, B. Hamlett, J. Welborn, referred to Judiciary.

SB 198, introduced by M. Caferro, referred to Public Health, Welfare and Safety.

SB 199, introduced by M. Caferro, referred to Public Health, Welfare and Safety.

SB 200, introduced by E. Buttrey, referred to Judiciary.

SB 201, introduced by J. Hinkle, J. Fielder, J. Small, C. Smith, referred to Energy and Telecommunications.

SB 202, introduced by J. Hinkle, D. Ankney, B. Beard, E. Buttrey, P. Connell, J. Fielder, T. Gauthier, D. Kary, J. Knokey, M. Lang, K. Regier, T. Richmond, D. Skees, J. Small, C. Smith, B. Tschida, C. Vincent, J. Welborn, referred to Judiciary.

SB 203, introduced by N. Swandal, referred to Judiciary.

The following Senate bill was introduced and read first time:

SB 204, introduced by G. Vuckovich, M. Caferro, V. Court, T. Facey, B. Hamlett, J. Keane, E. McClafferty, D. Sands, J. Sesso, F. Smith, K. Swanson, J. Windy Boy.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJ 11, introduced by K. Regier, M. Blasdel, referred to Judiciary.

The following House bills were introduced, read first time, and referred to committees:

HB 71, introduced by W. McKamey (by request of the State Administration and Veterans' Affairs Interim Committee), referred to Public Health, Welfare and Safety.

HB 231, introduced by P. Webb, referred to Judiciary.

HB 232, introduced by K. Holmlund, F. Anderson, D. Bartel, B. Beard, B. Brown, A. Doane, J. Ellis, F. Garner, D. Loge, F. Mandeville, A. Olsen, D. Skees, S. Staffanson, referred to Education and

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Cultural Resources.

HB 261, introduced by F. Garner, K. Dudik, referred to Finance and Claims.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Senator Fitzpatrick in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 191 - Senator Vincent moved **HB 191** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Phillips, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: Olszewski.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 117 - Senator R. Webb moved **SB 117** do pass. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 30

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Moore, Phillips, Pomnichowski, Sands, Sesso, Smith F, Tempel, Vuckovich, Whitford, Wolken.

Total 19

Absent or not voting: None.

Total 0

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Excused: None.

Total 0

SJ 1 HA - Majority Leader Thomas moved consideration of **House amendments to SJ 1** be placed at the top of the remaining second reading board. Without objection, so ordered.

SJ 1 HA - Senator Thomas moved **House amendments to SJ 1** be concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 32

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Phillips, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Phillips excused at this time.

HB 18 - Senator Hoven moved **HB 18** be concurred in.

HB 18 - Senator Hoven moved **HB 18**, second reading copy, be amended as follows:

1. Page 25, line 8.

Following: line 7

Insert: "IF YOU DO NOT RESPOND TO THIS NOTICE, YOU WILL LOSE YOUR PROPERTY."

2. Page 25, line 28 through line 29.

Strike: "or on" on line 25 through "otherwise issue a tax deed," on line 29

3. Page 25, line 30 through page 26, line 1.

Strike: "or on" on page 25, line 30 through "deed" on page 26, line 1

4. Page 26, line 12.

Following: "Signature" on line 11

Insert: "IF YOU DO NOT RESPOND TO THIS NOTICE, YOU WILL LOSE YOUR

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PROPERTY."

Amendment adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 46

Nays: Fielder, Hinebauch.

Total 2

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 18 - Bill, as amended, concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 47

Nays: Facey.

Total 1

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 43 - Senator Blasdel moved **HB 43** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

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Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 63 - Senator Cohenour moved **HB 63** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 115 - Senator Hoven moved **HB 115** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

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Total 1

SR 9 - Senator Blasdel moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 9**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

SR 12 - Senator Blasdel moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 12**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr. President.
Total 48

Nays: None.
Total 0

Absent or not voting: None.
Total 0

Excused: Phillips.
Total 1

SR 5 - Senator Ankney moved that the nomination transmitted by the Governor be concurred in and confirmed by the Senate in accordance with **SR 5**. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Lang, MacDonald, Malek,

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McClafferty, McNally, Moore, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Tempel, Vance, Vincent, Vuckovich, Welborn, Whitford, Wolken, Mr.President.

Total 41

Nays: Brown, Fielder, Keenan, Olszewski, Swandal, Thomas, Webb.

Total 7

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 76 - Senator Barrett moved **HB 76** be concurred in. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 129 - Senator Caferro moved **SB 129** do pass. Motion carried as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Welborn, Whitford, Wolken, Mr.President.

Total 45

Nays: Hinebauch, Moore, Webb.

Total 3

Absent or not voting: None.

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Total 0

Excused: Phillips.

Total 1

SB 96 - Senator C. Smith moved **SB 96** do pass. Senator Olszewski expressed a conflict of interest before voting. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Caferro, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Malek, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Wolken.

Total 35

Nays: Barrett, Cohenour, Facey, Gross, MacDonald, McClafferty, McNally, Pomnichowski, Sands, Smith F, Vuckovich, Whitford, Mr.President.

Total 13

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

Majority Leader Thomas moved the committee **rise, report progress, and beg leave to sit again**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Chair Fitzpatrick moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Keenan, Lang, MacDonald, McNally, Moore, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 42

Nays: Cohenour, Kary, Malek, McClafferty, Olszewski, Smith F.

Total 6

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

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MESSAGES FROM THE OTHER HOUSE

Governor's Amendments to House bills not concurred in:

2/3/2017

HB 1, introduced by N. Ballance

MOTIONS

Majority Leader Thomas moved that consideration of the **Governor's amendments to HB 1** be placed on second reading this day. Without objection so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Thomas moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. President Sales in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Governor's Amendments - Senator L. Jones moved **Governor's amendments to HB 1** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Small, Smith C, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Mr. President.

Total 32

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Sands, Sesso, Smith F, Vuckovich, Whitford, Wolken.

Total 16

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

Majority Leader Thomas moved the committee **rise and report**. Motion carried. Committee arose. Senate resumed. President Sales presiding.

Majority Leader Thomas moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Fitzpatrick, Gauthier, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Webb, Welborn, Wolken, Mr.President.

Total 35

Nays: Barrett, Caferro, Cohenour, Facey, Gross, MacDonald, Malek, McClafferty, McNally, Sands, Sesso, Vuckovich, Whitford.

Total 13

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 65 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hoven, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 45

Nays: Hinkle, Howard, Mr.President.

Total 3

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 97 passed as follows:

Yeas: Ankney, Blasdel, Brown, Buttrey, Connell, Fielder, Gauthier, Hinebauch, Hinkle, Howard, Jones, Kary, Keenan, Lang, Moore, Olszewski, Osmundson, Regier, Richmond, Salomon, Smith C, Thomas, Vance, Vincent, Webb, Welborn, Mr.President.

Total 27

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Nays: Barrett, Caferro, Cohenour, Facey, Fitzpatrick, Gross, Hoven, MacDonald, Malek, McClafferty, McNally, Pomnichowski, Sands, Sesso, Small, Smith F, Swandal, Tempel, Vuckovich, Whitford, Wolken.

Total 21

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 118 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

SB 123 passed as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

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Total 1

SB 142 passed as follows:

Yeas: Ankney, Barrett, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fitzpatrick, Gauthier, Gross, Hinkle, Hoven, Jones, Kary, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Osmundson, Pomnichowski, Richmond, Salomon, Sands, Sesso, Small, Smith F, Swandal, Tempel, Thomas, Vance, Vuckovich, Webb, Welborn, Whitford, Wolken.

Total 38

Nays: Blasdel, Fielder, Hinebauch, Howard, Keenan, Olszewski, Regier, Smith C, Vincent, Mr.President.

Total 10

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

HB 221 concurred in as follows:

Yeas: Ankney, Barrett, Blasdel, Brown, Buttrey, Caferro, Cohenour, Connell, Facey, Fielder, Fitzpatrick, Gauthier, Gross, Hinebauch, Hinkle, Hoven, Howard, Jones, Kary, Keenan, Lang, MacDonald, Malek, McClafferty, McNally, Moore, Olszewski, Osmundson, Pomnichowski, Regier, Richmond, Salomon, Sands, Sesso, Small, Smith C, Smith F, Swandal, Tempel, Thomas, Vance, Vincent, Vuckovich, Webb, Welborn, Whitford, Wolken, Mr.President.

Total 48

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: Phillips.

Total 1

MOTIONS

Majority Leader Thomas moved that **HB 191**, heard on second reading this date, and **HB 3**, currently on the second reading board, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

Majority Leader Thomas moved that **HB 233** be taken from the Public Health, Welfare, and

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Safety Committee and re-referred to the Business, Labor, and Economic Affairs Committee. Without objection, so ordered.

Majority Leader Thomas moved that **HB 41** be taken from the second reading board and re-referred to the Highways and Transportation Committee. Without objection, so ordered.

Majority Leader Thomas moved that **SB 96**, heard on second reading this date, be re-referred to the Finance and Claims Committee. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Senator Blasdel thanked the Pages for their service this week.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Thomas moved the Senate adjourn until 1:00 p.m., Monday, February 6, 2017, the 26th legislative day. Motion carried.

Senate adjourned at 3:28 p.m.

MARILYN MILLER
Secretary of the Senate

SCOTT SALES
President of the Senate